S.B.Cr.Misc. Bail App. No. 5648/2007
(Raju @ Rajendra Vs. State of Rajasthan)

Date of order : 19/11/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. K.R.Bhati for the petitioner.

Mr. Ashok Upadhyay Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioner that similarly situated co-accused Dilip @ Pappu has been granted bail by this Court vide order dated 22.10.2007. The petitioner has been implicated with the aid of Section 120-B IPC and he has not committed any theft.

On perusal of the order impugned, it appears that the theft of jeep is not alleged against the present petitioner but there is allegation that he entered into conspiracy for theft.

Be that as it may, nothing has been recovered from the present petitioner, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Raju @ Rajendra S/o Gorishankar, be released on bail in FIR No. 103/2005 P.S. Hiranmagari, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs.

10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP